

**14-1. Superfund State Contracts and Cooperative Agreements (1200 TN 532 14-1)**

1. **AUTHORITY.** To enter into a contract and/or cooperative agreement with States, political subdivisions thereof, and Indian Tribes, as appropriate, pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Section 104; 40 CFR Part 35, Subpart O, "Cooperative Agreements and Superfund State Contracts for Superfund Response Actions"; and 40 CFR 300, "National Oil and Hazardous Substances Pollution Contingency Plan" (NCP).

2. **TO WHOM DELEGATED.** The authority to grant a State a credit against its cost share for response expenses incurred by the State (or, as appropriate, a political subdivision) in accordance with the provisions of Sections 104 (c) and 104 (d) is delegated to the Director, Superfund and Emergency Management Division (SEMD).

**3. LIMITATIONS.**

- a. This authority shall be exercised subject to approved funding levels.
- b. This authority does not extend to EPA procurement contracts.
- c. The authority in paragraph 2, above, was originally contained in EPA Delegation 14-11, Credit for State Expenditures. Delegation 14-11 was consolidated into Delegation 14-1 effective November 8, 2001. The change is documented in Headquarters Transmittal 532, 11/08/2001.
- d. All authorities concerning the approval and award of grants and cooperative agreements under this delegation are subject to the provision of Region III Order R5710.51, Region III Procedures for Grants and Cooperative Agreements.

**4. REDELEGATION AUTHORITY.**

- a. This authority may not be redelegated without formal amendment.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command to the official to whom it has been specifically redelegated.

**5. ADDITIONAL REFERENCES.**

- a. CERCLA Sections 101(23), 101(24), 105, 113, 116, 117, 118, 120, 121, and 126.

**14-1. Superfund State Contracts and Cooperative Agreements (continued)****5. ADDITIONAL REFERENCES (continued).**

- b. The Federal Grant and Cooperative Agreement Act of 1977, 31 U.S.C. Sections 6301 et seq.
- c. 40 CFR Part 31, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments."
- d. EPA Delegation 1-14, *Assistance Agreements*.
- e. EPA Delegation 1-34, *Litigation Representation*.
- f. EPA Delegation 14-2, *Response*.
- g. EPA Delegation 14-22, *Administrative Record and Public Participation*.
- h. EPA Delegation 14-30, *Acquisition of Real Property*.
- i. Headquarters Transmittal 532, 11/08/2001.
- j. Region III Order R5710.51, Region III Procedures for Grants and Cooperative Agreements.

**6. SUPERSESSION.** Delegations Manual, CERCLA, Regional Delegation 14-1. Superfund State Contracts and Cooperative Agreements, 1200 TN RIII 157 (November 7, 2003).

Date: APR 15 2019

  
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